

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 14-50
	:	
v.	:	
	:	
JUCONTEE T. WOEWIYU	:	

**AFFIDAVIT IN SUPPORT OF GOVERNMENT'S RESPONSE
TO DEFENDANT'S MOTION TO DISMISS**

I, Linwood C. Wright, Jr., depose and say the following.

1. I am an Assistant United States Attorney in the Eastern District of Pennsylvania, who is an assigned prosecutor in *United States v. Jucontee T. Woewiyu*.

2. During an October 21, 2014 bail hearing before this Court, the defendant's counsel made representations that triggered government obligations under the Classified Information Procedures Act (CIPA). To this end, in accordance with standard protocol, on December 11, 2014, the United States Attorney's Office for the Eastern District of Pennsylvania requested that the Department of Justice's National Security Division (NSD) ask another government entity to conduct a prudential search request, in order to determine whether that entity possessed classified documents relating to the defendant. On December 15, 2014, NSD formally requested that the other government entity conduct the prudential search. On January 15, 2015, the entity retrieved documents that were responsive to the prudential search request.


3. In order to review classified documents which the government entity that conducted the prudential search request recovered, it was necessary for me to be granted clearances beyond the top secret clearance which I was granted on February 11, 2011. To this end, on February 24, 2015, I was granted an additional clearance.

4. After coordinating with the government entity that possessed the relevant classified documents, I was granted permission to review those documents on convenient dates specified by the government entity, at the entity's facility. I reviewed the documents on the following approximate dates: June 15-16, 2015; July 15-16, 2015; July 30, 2015; August 10-11, 2015 and September 21, 2015. As a result of my review of these documents I generated numerous classified notes. Almost each page, if not each page of my classified notes, reflected a single or multiple page underlying document.

5. After reviewing, and redacting portions of my classified notes, on December 10, 2015, the government entity that possessed the classified documents that I reviewed, redacted portions of my notes on those documents and transmitted them to NSD. On May 17, 2016, NSD transmitted my classified notes to the Federal Bureau of Investigation (FBI) in Philadelphia where they were, and remain, stored in the FBI's sensitive compartmented information facility. It was from these notes that the overwhelming bulk of the underlying documents were produced to the Court for review. Additionally, classified documents from the FBI and United States Department of State were produced to the Court on later dates, after the government received authorization for production.

6. On June 22, 2016, the government filed both its Motion for a Pretrial Conference pursuant to the Classified Information Procedures Act, and its Motion to Designate a Classified Security Officer. From this date CIPA litigation ensued, which included the Court's *in camera* review of numerous documents. On January 23, 2018, the Court denied the Defendant's Motion for Discovery and Sealed Reply Motion, and granted the Government's *Ex Parte* Motion Pursuant to Section 4 of the Classified Information Procedures Act.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on January 24, 2018 at Philadelphia, Pennsylvania.



Linwood C. Wright, Jr.
Assistant United States Attorney

Sworn to and subscribed
before me this 24th day
of January, 2018.



NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Elizabeth A. Montanti, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires April 23, 2019
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Affidavit in Support of Government's Response to Defendant's Motion to Dismiss was filed electronically on the Electronic Case Filing system, is available for viewing and downloading from the ECF system, and/or was served on defense counsel as follows:

Mark T. Wilson, Esquire
DEFENDER ASSOCIATION OF PHILADELPHIA
Federal Court Division
The Curtis Center Building
601 Walnut Street, Suite 540 West
Independence Square West
Philadelphia, PA 19106
mark_wilson@fd.org

/s/Linwood C. Wright, Jr.
LINWOOD C. WRIGHT, JR.
NELSON S.T. THAYER, JR.
Assistant United States Attorneys

Dated: January 24, 2018